

TOWN COMMISSIONER'S MEETING
CHARLESTOWN, MARYLAND
February 12, 2019

The Town Meeting was called to order by President, Joseph Letts at 7:00 pm. Commissioners present were Joseph Letts, Karl Fockler, Jeff Fields Lou Wood, and Patricia Clements. Mr. Wib Pumpaly was also present.

Pledge of Allegiance was led by Commissioner Lou Wood

Approval of the Minutes of January 22, 2019 A question was asked by Commissioner Clements about the bathrooms at Veterans park and if the bids will reflect Critical Area and Flood Plain. The answer was yes. **Commissioner Wood moved to accept the minutes, seconded by Commissioner Fields. Approved 5-0.**

Accounts Payable Review of February 12, 2019Accounts payable in the amount of \$86,325.35 were presented for approval for February 12, 2019 A question was asked about the KCI bill, will it be reimbursed from the grant. Yes. The new ice eater is on the Town Pier. **Commissioner Fockler moved to approve, seconded by Commissioner Wood. Approved 5-0.**

Miller Environmental January 2019- Mr. Josh Griffith presented the following in a written report. A total of 2,345,000 gallons of water was produced with an average daily production of 75,645 gallons. No submitted samples tested positive for coliform. Weekly housekeeping and weekly and monthly maintenance were performed. In addition, 22 Miss Utilities were completed A leak check was done at 409 Bayview with none detected. The meters were also read. A question was asked about Well #1 being operated less than Well #2 and that is a cause of concern for Mr. Pumpaly. They could explore the possibility of doing a more balanced approach, but standard practice is to exercise one well, but use the other more regularly.

Cecil Co. Sheriff's October 2018 Report -- A written report was submitted showing in October 2018 41 shifts were approved for a total of 164 hours. Of that number 154 hours were covered. There were 10 calls for service and 6 out of town assists. There were 190 property checks made. 26 (8 radar and 18 non-radar) traffic citations were issued; 21 (8 radar and 13 non-radar) warnings were issued, 2 safety repair orders were issued and no parking citations were issued. There was one warrant service attempt. There were five arrests made (1 warrant related and 2 traffic violations, 2 suspended/revoked). No civil citations were issued. There were eight community contacts made for the month and no business contacts. 29 shifts operated radar and 10 did not. Two vehicles were removed to storage at the police request one at owner's request.

Cecil Co. Sheriff's November 2018 Report -- A written report was submitted showing in November 2018 40 shifts were approved for a total of 160 hours. Of that number 132 hours were covered. There were 4 calls for service and 1 out of town assist. There were 187 property checks made. 12 (4 radar and 8 non-radar) traffic citations were issued; 17 (6 radar and 11 non-radar) warnings were issued, 4 safety repair orders were issued and no parking citations were issued. There was no warrant service attempts. There were two arrests made (2 suspended/revoked). One civil citations was issued. There were nine community contacts made for the month and one business contact. 19 shifts operated radar and 14 did not. One vehicle was removed to storage at the police request one at owner's request.

Cecil Co. Sheriff's December 2018 Report -- A written report was submitted showing in December 2018 41 shifts were approved for a total of 164 hours. Of that number 124 hours were covered. There were 2

calls for service and no out of town assists. There were 176 property checks made. 11 (6 radar and 5 non-radar) traffic citations were issued; 20 (11 radar and 9 non-radar) warnings were issued, 3 safety repair orders were issued and no parking citations were issued. There were no warrant service attempts. There was three arrests made (3 traffic violations). No civil citations were issued. There were ten community contacts made for the month and no business contacts. 16 shifts operated radar and 15 did not. One vehicle was removed to storage at the police request.

Cecil Co. Sheriff's January 2019 Report - A written report was submitted showing in January 2019 39 shifts were approved for a total of 156 hours. Of that number 148 hours were covered. There were 6 calls for service and two out of town assists. There were 197 property checks made. 11 (0 radar and 11 non-radar) traffic citations were issued; 27 (13 radar and 14 non-radar) warnings were issued, 0 safety repair orders were issued and no parking citations were issued. There were no warrant service attempts and one civil paper served. There were two arrests made (2 traffic violations). Two civil citations were issued. There were nine community contacts made for the month and no business contacts. 22 shifts operated radar and 15 did not. One vehicle was removed to storage at the police request and one at owner request.

Cecil County Sheriff's Contract & Patrol Schedule Commissioner Letts introduced Sgt. Sean Mahan our new coordinator who went over the January statistics. The reports will be forwarded to Jenn Heitz and those reports will be generated and forwarded to appropriate contacts. He will be our point of contact starting February 1, 2019. A question was raised on the frequency of the reports and Sgt. Mahan said that we would be getting them regularly as the process has changed. There is an intel meeting on Thursday at the Sheriff's office at 9:00 AM that Commissioners could attend part of. Please let Sgt. Mahan know if you would like to attend as he needs to arrange your participation. Commissioner Wood stated that we were not getting the reports. We were getting bills in a timely fashion, without backup, so in future we will not be paying until we get the backup. They have changed the procedure, so, we should get reports in a more timely manner. The Commissioners thanked Sgt. Schmidt for his over 17 years of being our coordinator.

Commissioner Wood stated that the Sheriff's office is asking for an 11% increase for the coming year. In order to offset that increase we are going to have to cut back these hours. If we could have weekends covered and alternate weekdays especially in the winter. We absolutely need coverage on weekends in the summertime. Commissioner Fockler stated that we are really seasonal here and need more coverage. We are OK as the rate increase will not take effect until July 1st when the new contract would start. Sgt. Mahan stated that Wednesday to Sunday seem to be days that have more calls for service. Commissioner Fockler stated that the rate increase is from the negotiated contract with the FOP and are simply passing on their rate increase. Sgt. Mahan stated the rate increase is going to the deputy and not to overhead. Sgt. Mahan will ask Major Stanko to get in touch about the increase and where the increase is allotted, to the deputy or overhead? Commissioner Wood stated that if we don't start getting a product, we are going to look elsewhere. Commissioner Fields asked if we will be OK with the budget as we are utilizing it now. The answer is that we think we are going to be in good shape.

Utilization of the Avalon Building – tabled as the agenda for tonight is very full and this is not a priority discussion at this point in time.

Town Administrator's Report

Old Business

Commissioner Wood was excused at this point in the meeting.

Lee's Marina Lease Considerations & Seawall Issues Mr. Pumpaly explained the situation at the Marina and the problem with the seawall. The current lease is going to expire in 2031. The current assessment is 280,000 and the 5% rate the calculates to \$1166.67 per month. In 2021 a new assessment would take place for the last 10 years of the lease. The current lessee has been notified that the seawall is failing and needs to be repaired. The current lessee, Mr. Brittingham has asked for an extension of the lease to 2056, with the terms in essence the same. Commissioner Clements asked for the citation as she had contacted the MDE and they could not tell her what the status of the citation was. The repair of the wall would be somewhere in the area of \$60,000 to \$75,000. Mr. Brittingham has agreed and is obligated by the lease to repair the wall. Commissioner Fockler has given to the Board a letter of response that he crafted along with town attorney, Mr. Clower. The rate of rent would be \$2,000.00 until 2021 when a reappraisal would take place and then the rent would be 6% of the appraised value. The town would also agree to a five-year extension. Mr. Brittingham stated that he has put some extensive upgrades into the bathrooms. Mr. Pumpaly feels the increase is a lot of money for just a five-year extension. Mr. Brittingham feels that the wall is a gray area. Commissioner Fockler suggests that Mr. Brittingham have his counsel negotiate with our counsel. Commissioner Clements says that the repairs are Mr. Brittingham's responsibility per the lease. Mr. Brittingham suggests that they all think about it. A compromise was suggested that did not garner a majority vote. **Commissioner Fockler moved to make a counter offer to extend the lease for an additional five years with no increase with a personal guarantee on the lease, seconded by Commissioner Clements. Vote 3-0 with 1 abstention.**

North East River Marina Lease Considerations & Seawall Issues The owner of NERM came to Mr. Pumpaly and there is a seawall failure on the land that she leases from the town. Mr. Pumpaly asked Ms. DeSimone what she would like to happen. She is suggesting that she put a new seawall in about 18 inches out and then backfill which seems to be easier to get through the MDE. She then would like a decrease in her rent in consideration of this expense. Her lease is a 30 year lease which takes us to 12-31 2038. Her rent is based on the assessment and there is no increase in the rent it stays steady at 8%. The lease states that the leasee at it's sole expense shall keep the property in good repair and pay for all repairs. There is also a clause that the town will replace or repair the exposed metal bearings on the launch ramp. The seawall has moved approximately 10 inches. The town owns the boat ramp at NERM. We have not been given an estimate of the repairs currently needed. The lease actually states that we grant the leasee the right to improve the exposed metal bearing on the boat ramp, not that we are responsible for its repair. Commissioner Fockler would be in favor of selling the marina property to the marina, but Commissioners are not permitted to sell town streets. Commissioner Fockler is not in favor of helping to pay for the repair or in granting a decrease. **Commissioner Fockler moved to take no action on the request, seconded by Commissioner Clements. Approved 4-0.**

Proposal to Renovate the Ice House Mrs. Armour intends to follow rules and regulations and the Upper Bay Museum and the Havre de Grace Museum are on board to help with this project. There are some things in the Upper Bay Museum that are being held until we get up and running. Mr. Edwards is willing to work with this group and Ms. Fockler was in attendance and asked that we work in tandem. The suggestion was made to use experts to help in the valuation. Commissioner Clements thinks that one of the Commissioners needs to be there when the building is opened. Ms. Fockler stated that she would like to see a point of contact on the Board of Commissioners. Commissioner Fields volunteered to be the point of contact. Mrs. Armour hopes that working with Ms. Fockler and Mr. Edwards things can move forward smoothly. Mrs. Armour is not asking the town to fund the project but does hope that they will to some extent support it financially.

Survey of Parcel #455 (formerly Karl Knapp property) Mr. Pumpaly has received three bids to do the survey of the property. Commissioner Clements asked for a bid from McCrone. This survey is being sought because of concern of the property possibly being on Louisa Lane and the stub of Water Street. Mr.

Giraldi had a location survey done without the corners being marked. Mr. Pumpaly was asked to get a bid from McCrone and also seek to see if the surveyor that Mr. Giraldi used could place the corner makers in.

Pole Barn/Salt Storage Building Bid Review Mr. Pumpaly has received 5 bids for the proposed Salt/Storage shed. This is for two bays that will hold the trucks with the plows on and a salt storage space. The bids range from \$37,000 to \$92,000. Truewood Builders came in at \$43,200.00 which seems to be a good price. Mr. Pumpaly will spend some time reading the bids and give a recommendation at a future meeting. The Commissioners asked for more information on the bids before making a decision.

New Business

Employment Committee Selection (Code Enforcer Position Interviews) We need an employment committee for the position of Code Enforcement Officer. Commissioner Fields suggested to appoint Commissioner Clements, Commissioner Letts and Mr. Pumpaly to the committee. Commissioner Clements recommended that Ms. Antoshak also be included as a member. **Commissioner Fockler moved that the position be re-advertised with MML, and a job posting board and then a committee interview and hire as summer is coming, seconded by Commissioner Fields. Approved 4-0.**

Replacement/Repair Restrooms at “C” Dock The restrooms at C Dock has a sewage holding tank leak in it. It is approximately 15 or 16 years old. The unit is an asset of the town and was part of what was purchased when C Dock was purchased. To replace the unit is in the area of \$35,000 and to build a permanent building would be around \$50,000. We called around to see if we could get it repaired and the answer was no. We did find a plumbing company that could remove the holding tank and pipe it directly to the sewer. The cost of this would be approximately \$5,000.00. The maintenance supervisor says that they can spruce up the outside and the leasee will spruce up the inside. The leasee is OK with this less expensive solution. **Commissioner Fields moved to accept the bid of \$5,000.00 with Haase plumbing. Commissioner Clements wanted more time to look over the bid. This is tabled until the next meeting.**

Commissioner Fockler stated that Colonial Charlestown is going to reinstate the Colonial Fair on September 21, 2019 for a one day event. He hopes that the Board will support this event.

Period of Public Comment

Rosalyn Bott - The 107 House – would there be room that could be utilized for storage of things from the Ice House? There is very little room that could be used there for storage unless the water tower might work. It is not secure enough. We could possibly use a pod. We have a garage that is at the end of Calvert Street which might be utilized.

Pauline Bryant – The church yard is in bad need of help as they are getting stuck. She is asking the town to increase the parking at the church along the front drive. The Commissioners will look into it and asked Mrs. Bryant for a diagram of what she is envisioning.

Prosper Boudart – No comment

There being no further business, Commissioner Letts moved to adjourn the regular meeting seconded by Commissioner Fields at 9:30 PM. **Approved 4-0.**

Respectfully submitted by: Debbie Myers, Town Clerk